IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,
AT HYDERABAD

**HONOURABLE SRI JUSTICE V.V.S. RAO**

**WRIT PETITION No. 10205 OF 2007**

Date:03.07.2007

BETWEEN:

1. P.Suguna, W/o.Subramanyam, Occ. Labour, R/o.H.No.4-236, Mitta Indlu, Oteru, Vedantha Puram village, Tirupathi Rural Mandal, Chittoor District, and others.

…. PETITIONERS

AND

1. The District Collector, Chitoor district, Chittoor, and others.

….RESPONDENTS

**HONOURABLE SRI JUSTICE V.V.S. RAO**

**WRIT PETITION No. 10205 OF 2007**

**ORDER**:

The petitioners are the residents of Vedantha Puram Village of Tirupathi Rural Mandal of Chittoor District. They filed the instant writ petition seeking a Writ of Mandamus declaring the action of the respondents in interfering with their peaceful enjoyment of the house sites bearing Plot Nos.45, 46, 48, 49, 50, 51, 52 and 55, situated in S.No.231 (Layout 231), in Vedantha Puram village as illegal and arbitrary. They are also seeking a consequential direction to the respondents not to interfere with their possession.

The affidavit accompanying the writ petition is filed by the third petitioner. She alleges as follows. The petitioners are poor persons. They submitted applications for grant of house site pattas. The third respondent conducted enquiry and issued house site pattas on 19.02.1994 vide proceedings Nos. VHS No.45/94, VHS No.46/94, VHS No.48/94, VHS No.49/94, VHS No.50/94, VHS No.51/94, VHS No.52/94, and VHS No.55/94. They were also handed over possession of the land. They constructed thatched houses and living there. On 04.05.2007, the third respondent and his subordinates came to the site and directed the petitioners to vacate the land, without issuing any notices. Therefore, they filed the present writ petition.

After getting instructions, the learned Assistant Government Pleader submits that the land comprised in S.No.231 is classified as Kancha Poramboke (stream) in revenue records and that the land was not assigned to the petitioners. He further submits that the house site pattas produced before this Court are fake and forged pattas and the petitioners were not in possession of the land. He also submits that after obtaining orders of status quo from this Court on 9.05.2007, the petitioners are now trying to

occupy the land in S.No.231.

The writ petition is filed alleging that on 04.05.2007 the third respondent and his subordinate officials came and directed to vacate the land. Based on such vague statement a writ petition cannot be entertained. Secondly, now that the learned Assistant Government Pleader submits that the pattas produced before this Court are forged pattas, the third respondent should conduct enquiry into this aspect. If it is found that the pattas produced are forged, the Mandal Revenue Officer shall initiate criminal action against the petitioners before appropriate Court. In this writ petition no relief can be granted.

The Writ Petition is accordingly dismissed at the admission stage.

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(**V.V.S. RAO, J.)**

3rd July, 2007
Js.